

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

MTEC, LLC, a Nevada limited liability
company,

CV 08-563-AC

Plaintiff,

ORDER

v.

WILLIAM NASH, individually and d/b/a/
SUPER SOUNDPROOFING COMPANY,

Defendant.

REDDEN, Judge:

On September 23, 2008, Magistrate Judge Acosta filed Findings and Recommendation (doc. 17) in the above-captioned case, recommending that defendant's Motion (doc. 6) to Transfer Venue, Quash and Strike Summons, and for Sanctions be granted in part, and denied in part.

The matter is now before this court pursuant to 28 U.S.C. § 636(b)(1)(A), and Fed. R. Civ. P. 72(b). Neither party timely filed objections to the Findings and Recommendation. This

relieves me of my obligation to give the factual findings de novo review. See 28 U.S.C. § 636(b)(1)(C); Simpson v. Lear Astronics Corp., 77 F.3d 1170, 1174-75 (9th Cir. 1996). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Acosta's Findings and Recommendation (doc. 17) as my own opinion. Defendant's motion (doc. 6) is granted in part, and denied in part, as follows: (1) the motion to transfer venue to the Southern District of California is GRANTED; (2) the motion to the quash and strike summons is DENIED; and (3) the motion for sanctions is DENIED. Pursuant to 28 U.S.C. § 1406(a), this action is hereby transferred to the Southern District of California.

IT IS SO ORDERED.

DATED this 20th day of October, 2008.

/s/ James A. Redden
James A. Redden
United States District Judge